

# **EXHIBIT 6**

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(Alexandria Division)

AUDIO MPEG, INC.

Plaintiff,

v.

THOMSON S.A. and  
THOMSON INC.

Defendants.

Civil Action No.: 1:05 cv 565

Judge: Claude M. Hilton

**AFFIDAVIT OF MARIE-ANGE DEBON  
IN SUPPORT OF MOTION TO DISMISS  
PLAINTIFF'S COMPLAINT**

**DEMAND FOR JURY TRIAL**

**FILED UNDER SEAL PURSUANT  
TO PROTECTIVE ORDER**

**AFFIDAVIT OF MARIE-ANGE DEBON IN SUPPORT OF MOTION TO DISMISS  
PLAINTIFF'S COMPLAINT**

I, Marie-Ange DEBON, on oath hereby depose and state:

1. I currently serve as Thomson S.A.'s General Secretary. I have served as General Secretary for the last 2 years and have worked for Thomson S.A. for 7 years.
2. Based on my position and experience, I am extremely familiar with the corporate structure, activities and finances of Thomson S.A.
3. Thomson S.A. is incorporated under the laws of France and has its principal place of business in Boulogne-Billancourt, France. Thomson Inc. is a Delaware corporation with its principal place of business in Indianapolis, Indiana. Thomson Inc. is a wholly owned subsidiary of Thomson S.A.
4. Thomson S.A. and Thomson Inc. maintain separate corporate structures, including separate boards, separate management and separate employees.
5. Thomson S.A. also maintains finances separate from those of Thomson Inc.
6. Thomson S.A. does not direct or advise Thomson Inc. on how to sell or distribute any Thomson Inc. product in the United States, including in Virginia.

7. Thomson S.A. does not do any business in Virginia. Specifically, Thomson S.A. does not have any offices or business operations, own any property, or maintain any bank accounts in Virginia. Moreover, Thomson S.A. does not sell any products in Virginia, it does not offer any services in Virginia, and it does not have any retailers or distributors in Virginia
8. Consequently, Thomson S.A. has not directly derived any revenue from sales in Virginia and its contacts with Virginia residents and businesses are extremely limited.
9. To the best of my knowledge, Thomson S.A.'s contacts with Virginia residents and businesses are confined to unsolicited communications from these residents and businesses.
10. Thomson S.A. has therefore not sold or distributed in Virginia any products with capabilities required by MPEG standards
11. To the best of my knowledge, Thomson S.A. also does not have any distributors or retailers located in Virginia which provide or sell any products with capabilities required by MPEG standards
12. Further and to the best of my knowledge, Thomson S.A. has not provided or sold any products with capabilities required by MPEG standards to distributors in the United States which have nationwide distribution networks that include Virginia.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct

Executed on Friday, September 2, 2005.

By: 

Title: \_\_\_\_\_